IN THE MATTER OF THE APPLICATION OF ANTHONY J. SCARDAPANE FOR A ZONING VARIANCE ON PROPERTY LOCATED ON THE NORTHWEST SIDE OF GROVEHILL ROAD, 235' WEST OF THE CENTERLINE OF CHELWYND ROAD (928 GROVEHILL ROAD) 113th ELECTION DISTRICT **t COUNCILMANIC DISTRICT

COUNTY ARD OF APPEALS

BALTIMORE COUNTY

CASE NO. 89-545-A

ORDER OF DISMISSAL

This is an appeal from the decision of the Deputy Zoning Commissioner denying the Petition for Zoning Variance on property located on the northwest side of Grovehill Road, 235' west of the centerline of Chelwynd Road (928 Grovehill Road) in the Thirteenth Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a Letter of Dismissal of appeal filed March 26, 1990 (a copy of which is attached hereto and made a part hereof) from Jeffrey S. Chernow, Esquire, Counsel for the Appellant in the above-entitled case; and

WHEREAS, the said Mr. Chernow requests that the appeal filed by said Appellant be dismissed and withdrawn as of March 26, 1990,

IT IS HEREBY ORDERED this 10th day of April, 1990 that said appeal be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS .

area for Petitioner's family vehicles. In addition, an awning attached to the rear of the home, approximately 13 feet in length. Petitioner proposes attaching to the existing awning a carport enclosure which would result in 90% of the rear yard being covered. Mr. Scardapane testified the pro-

64% of the yard area in lieu of the maximum permitted 40%; a rear yard

ity to shovel snow.

JEFFREY S. CHERNOV EQUITABLE TOWSON BUILDING SUITE BOS **401 WASHINGTON AVENUE** TOWSON, MARYLAND 21204 801 583-7525

FAX: 501 321-7119

March 23, 1990

The Honorable William T. Hackett, Chairman County Board of Appeals Room 315, County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Re: Anthony J. Scardapane, Petitioner Zoning Case No.: 89-545-A

Dear Chairman Hackett:

As you will recall I represent Anthony J. Scardapane, the Petitioner in zoning case #89-545-A. On March 2, 1989 when the case was originally scheduled to be heard there was, in fact, no hearing but rather the case was postponed.

Pursuant to my client's instructions I respectfully request that the Board dismiss the appeal of Zoning Case #89-545-A.

My client understands that this dismissal will bring the matter to a conclusion.

Thank you for your cooperation in this matter. Please do not hesitate to contact me if there are any questions or any further nformation is needed. information is needed.

Very truly yours,

Anthony J. Scardapane Peter Max Zimmerman, Esquire

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

J. Robert Haines

July 13, 1989

Mr. Anthony J. Scardapane 928 Grovehill Road Arbutus, Maryland 21227

RE: PETITION FOR ZONING VARIANCE NW/S Grovehill Road, 235' W of the c/l of Chelwynd Road (928 Grovehill Road) 13th Election District - 1st Councilmanic District Anthony J. Scardapane - Petitioner Case No. 89-545-A

PETITION FOR ZONING VARIANCE

the c/l of Chelwynd Road

13th Election District

1st Councilmanic District

(928 Grovehill Road)

Anthony J. Scardapane

in accordance with Petitioner's Exhibit 1.

Petitioner

NW/S Grovehill Road, 235' W of

* DEPUTY ZONING COMMISSI LER

* OF BALTIMORE COUNTY

* Case No. 89-545-A

"我"还有""我们我们我们我们我们我们我们我们我们我们

The Petitioner herein requests a variance to permit a rear yard

The Petitioner appeared and testified. Also appearing on behalf

Testimony indicated that the subject property, known as 928

FINDINGS OF FACT AND CONCLUSIONS OF LAW

setback of 3 feet in lieu of the required 37.5 feet for a proposed carport

of the Petition was Larry Sinman, President, Star Builders, Inc., Contrac-

tor. Appearing in opposition were Joseph and Marie Rauser, adjoining

Grovehill Road, consists of 2,070 sq.ft. zoned D.R. 10.1 and is improved

with a single family group home. Testimony indicated that the rear of the

property has been completely paved with concrete and is used as a parking

posed carport enclosure is necessary due to his poor health and his inabil-

requested variances "to permit an accessory structure (carport) to comprise

Approximately 1 year ago, in Case F . 88-340-A, Petitioner had

Dear Mr. Scardapane:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

an MASkening ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

Dennis F. Rasmussen

cc: Mr. & Mrs. Joseph Rauser 926 Grovehill Road, Baltimore, Md. 21227

Mr. Raymond Parks, Zoning Chairman Arbutus Community Association, Inc. Townhall - 1349 Stevens Avenue, Baltimore, Md. 21227

People's Counsel

decided not to build a detached carport at that time and opted to refile for a variance for an attached carport.

At the instant hearing, pictures were introduced by both the Petitioner and the Protestants clearly depicting the current situation. The Protestants argued that the granting of the requested variance would result in a tremendous detriment to their enjoyment of their rear yard which they contend has already been decreased due to Petitioner's family parking their vehicles so close to their back door. Protestants further contend that if a carport which covers the rear yard to the extent proposed is granted, they will lose a tremendous amount of sunlight and air. In further support of their argument, the Protestants introduced a letter dated July 6, 1989 from the Arbutus Community Association, Inc., which clearly sets forth their opposition to the proposed variance.

> 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily

setback of 11 feet to the centerline of an alley in lieu of the required 15 feet; and side yard setbacks of 0 feet in lieu of the required 2.5 feet." By Order issued March 15, 1988, the Zoning Commissioner denied the relief requested except for granting the rear yard setback of 11 feet to the centerline of the alley in lieu of the requested 15 feet. Petitioner

zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

An area variance may be granted where strict application of the

public hearing on this Petition held, and for the reasons given above, the relief requested should be denied. THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for

variance requested must be denied.

Baltimore County this 137 day of July, 1989 that the Petition for Zoning Variance to permit a rear yard setback of 3 feet in lieu of the required 37.5 feet for a proposed carport in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28

there is insufficient evidence to allow a finding that the Petitioners

would experience practical difficulty or unreasonable hardship if the

requested variance were denied. In the opinion of the Deputy Zoning Com-

missioner, the granting of the variance would result in detriment to the

health, safety and general welfare of the adjoining property owners. The

testimony presented by Petitioner was in support of a matter of preference

rather than of the necessity for the variance. Petitioner resides with

his daughter and son-in-law who are physically able to shovel snow. The

Petitioners have failed to show that compliance would unreasonably prevent

the use of the property or be unnecessarily burdensome. Therefore, the

Pursuant to the advertisement, posting of the property, and

After due consideration of the testimony and evidence presented.

public safety and welfare secured.

Q H No travia ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

#447

Bid of the state o	
Beginning on the north side of Grove Hill Road. 60 feet wide at the distance of 235' + west of the centerline of Chelwynd	-
Road being lot 9, Block D in the subdivision of Huntsmoor Village, Section Book #30, Folio 37, also known as 928 Grovehill Road in the 13th District.	2,

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

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District 13 th. Posted for: Yariance	Date of Posting June 21, 1959
Petitioner: anthony J. Scar	dopane
Road, 928 Gine Lile A	Road 235' SW of C/L of Cheluy
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Posted by S.J. ALaTa	- Date of return: June 23, 1989
Signature Signature	The state of the s

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TIFICATE OF PUBLICATION

IS TO CERTIFY, that the annexed advertisement was THE JEFFERSONIAN, a weekly newspaper published altimore County, Md., once in each of ____ successive irst publication appearing on June 15, 19 89

THE JEFFERSONIAN,

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.B (214.1.b), 301.1 To allow a rear yard setback of 3 ft. for an open carport in lieu of the required 371 ft. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) 1) Handicapped individual 2) Lack of available parking on street 3) Proposed carport has been changed from gable to flatroof. OVER Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County, I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: xcarlane (Type or Print Name) ANTHONY J. JEARDAPANE (Type or Print Name) Attorney for Petitioner: 928 Grove Hill Road 242-5019 (Type or Print Name) City and State Larry Sinman, Star suilders, Inc. Name 8316 Liberty Road, 21207 (655-0335) ORDERED By The Zoning Commissioner of Bultimore County, this ______ day ZONING DESCRIPTION:

Folio 37, also known as 928 Growthill Road in the 13th District.

AVAILABLE FOR FICARLIAVA

surpression for a stey of the is surnce of said permit during this period for good cause shows Such caquest must be in writing and required in this office by the date of the hearing set above of presented at the hearing. J. ROBERT HAINE

Baltimore County

Zoning Commissioner

Office of Planning & Zoning

Towson, Maryland 2!204

Please be advised that \$ 76.27 is due for advertising and posting of the above referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the time it is posted by this office unit! the day of the hearing.

Please make your check payable to Raltimore County, Maryland and bring it along with the sign and

THIS FER MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE

post set(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to brain. will be an additional No. 058203 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION NISCELLANEOUS, CASH RECEIPT 2-01-615-000 B BU78 ***** 7627:a 311:F

Office of Planning & Zoning Towson, Maryland 21204

NOTICE OF HEARING

May 31, 1989



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance CASE NUMBER: 89-545-A NWS Grovehill Road, 235 ft. SW of c/l of Chelwynd Road 928 Grovehill Road 13th Election District - 1st Councilmanic Petitioner(s): Anthony J. Scardopane HEARING SCHEDULED: TUESDAY, JULY 11, 1989 at 11:00 a.m.

Variance: To allow a rear yard setback of 3 ft. for an open carport in lieu of the required 37½ ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Baltimore County cc: Anthony J. Scardopane Larry Sinman/ Star Builders, Inc.



HEARING ROOM -

County Board of Appeals of Baltimore County COUNTY OFFICE BUILDING

111 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 (301) 49403080X 887-3180 Room 301, County Office Bldg.

October 9, 1989 NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 89-545-A

ANTHONY J. SCARDAPANE NW/s Grovehill Road, 235' W of the c/l of Chelwynd Road (928 Grovehill Road) 13th Election District 1st Councilmanic District VAR - rear yard setbacks - carport 7/13/89 - D.Z.C.'s Order DENYING Petition.

ASSIGNED FOR: FRIDAY, MARCH 2, 1990 at 10:00 a.m. cc: Mr. Anthony J. Scardapane

Mr. Larry Sinman Star Builders, Inc.

Joseph and Marie Rauser

People's Counsel for Baltimore County P. David Fields Pat Keller J. Robert Haines Ann M. Nastarowicz James E. Dyer W. Carl Richards. Jr. ✓ Docket Clerk - Zoning Arnold Jablon, County Attorney

LindaLee M. Kuszmaul Legal Secretary



PHYLLIS COLE FRIEDMAN

Baltimore County, Maryland PEOPLE'S COUNSEL ROOM 304, COUNTY OFFICE BUILDING

111 WEST CHESAPEAKE AVENUE

TOWSON, MARYLAND 21204

887**xxx**-2188

William T. Hackett, Chairman County Board of Appeals Room 315, County Office Building

ZONING OFFICE

المواقع المعلى المتح**صوف في الإرساء المستدام الم**تحدد المتحدد
RE: Anthony J. Scardapane, Petitioner Zoning Case No.89-545-A

Dear Chairman Hackett:

111 W. Chesapeake Avenue

Towson, Maryland 21204

The Honorable

In view of your consideration to the Petitioner in granting a postponement of this case, to afford him an opportunity to pursue any rights which may exist by virtue of the Zoning Commissioner's final Order in previous Case No. 88-340-A (enclosed), I would ask that you supplement your decision as follows:

1. That the Petitioner shall provide the Board and all parties with a status report on or before April 1, 1990;

2. That the Petitioner provide all parties with a copy of any building permit application and site plan which is filed with the Dept. of Permits and Licenses;

3. That Petitioner provide all parties with a copy of any action taken by Baltimore County concerning any building permit application;

4. That status reports be submitted upon intervals of thirty (30) days, that is to say, on the 1st of each month beginning April 1, 1990; and

5. That the Petitioner be required to determine on or before June 1, 1990 whether he desires this case to proceed (in which event it will promptly be scheduled), or whether he does not so desire, in which event the Board will dismiss the appeal.

As you know, the Board's postponement followed after a long discussion, during which Petitioner expressed some inclination to proceed upon the previous case order, if feasible. This request was made without prior notice to the parties. Under the circumstances, I agree that it was reasonable for the Board to postpone the case, but I feel some strict

The Honorable William T. Hackett, Chairman County Board of Appeals

March 6, 1990

guidelines and notice as outlined above should be set forth to insure fairness to all parties.

- 2 -

I am also sending a copy of this letter to the Zoning Commissioner, in view of the unusual interrelationship between the present case and the earlier decision, and in view of the potential application for building permit and site plan evaluation by his office.

I trust that the Petitioner will be agreeable to my suggestion, but I am making this request whether or not Petitioner finds it salutary. I believe it is the reasonable thing to do.

Deputy People's Counsel

cc: Jeffrey S. Chernow, Esquire VJ. Robert Haines, Zoning Commissioner

JEFFREYS. CHERNOW EQUITABLE TOWSON BUILDING 401 WASHINGTON AVENUE TOWSON, MARYLAND 21204 801 683-7525

FAX: 301 321-7119

April 4, 1990

The Honorable J. Robert Haines Zoning Commissioner Baltimore County Zoning Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

Re: Anthony J. Scardapare, Petitioner Zoning Case No. 89-545-A

Dear Commissioner Haines:

This letter is in response to the letter to you from Peter Max Zimmerman, Esquire, dated March 28, 1990.

Despite the fact that Mr. Zimmerman is requesting my client to take certain actions which he "feels" are "reasonable" and "appropriate", I see no reason why my client should be held to any higher level of compliance than a petitioner in any other zoning case. Accordingly, I most respectfully decline to concur with Mr. Zimmerman's proposals.

My client will, of course, strictly comply with the letter and spirit of all applicable laws and regulations to which any activity taken pursuant to Case No. 88-340-A may be subject. Thank you for your consideration in this matter.

very thuly yours,

JSC:imf \\

cc: Anthony J. Scardapane Peter Max Zimmerman, Esq.

ZONING OFFICE

To Whom it May Concern:

I formally request an appeal to the decision rendered with regard to the above named case. Please notify me concerning dates, time and

July 28, 1989

RE: Case * 89-545-A

(Attached)

Control of the second second second second second BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 7-24.89 AMOUNT \$ 300 PROM: ANTHONY SCARNING

County Board of Appeals

Towson, Maryland 21204

HAND-DELIVERED

Office of Planning & Zoning

C/O Baltimore County Zoning Commission

VICINITY MAR (IC'WIDE) ALLEY PROP CARPOR EXIST OPEN AWNING EX. ROW- HOUSES 10T10 LOT 9 UTS N 57°-41'E '18' ' OF CHELWYND RD

PLAT FOR ZONING VARIANCE: OWNER: ANTHONY J. SCARDAPANCE SR. DISTRICT - 13 Ex. ZONING - DR 10.5 HUNTSMOOR VILLAGE, SECTION C LOT 9, ELK. D. BOOK NO. 30, FOLIO 37

GROVEHILL RD. (GO'R/W)

EXISTING UTILITIES IN GROVEHILL RD. SCALE: I FON' . LOT CIZE - SUTTON 11.

PLEASE PRINT CLEARLY PROTESTA	NIT (C) CYCN THE COMMENT
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Baltimore County Office of Flanning & Zoning Towson, Maryland 21204

August 16, 1989

Baltimore County Board of Appeals County Office Building, Room 315 Towson, Maryland 21204 RE: Petition for Zoning Variance

NW/S Grovehill Road, 2335' W of the c/1 of Chelwynd Road (928 Grovehill Road) 13th Election District, 1st Councilmanic District

ANTHONY J. SCARDAPANE - Petitioner Case No. 89-545-A

Please be advised that an appeal of the above-referenced case was filed in this office on August 2, 1989 by Anthony Scardapane, Petitioner. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

> J. Robert fraises Zoning Commissioner

Enclosures

cc: Anthony J. Scardapane, 928 Grovehill Road Arbutus, MD 21227

Larry Sinman, Star Builders, Inc. 8316 Liberty Road, Baltimore, Maryland 21207

Joseph and Marie Rauser, 926 Grovehill Road, Artutus, MD 21227

County Board of Appeals C/O Baltimore County Zoning Commission Office of Planning & Zoning Towson, Maryland 21204

> RE: Case # 89-545-A (Attached)

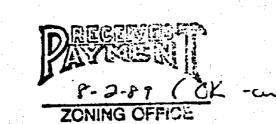
HAND-DELIVERED

To Whom it May Concern:

I formally request an appeal to the decision rendered with regard to the above named case. Please notify me concerning dates, time and

> Anthony J. Scrdapane 927 GROVEHILL RU ARBUTUS, md. 21227

AJS:asw



Joseph Rauser Marie Rauser

: BEFORE THE COUNTY BOARD OF APPEALS RE: PETITION FOR ZONING VARIANCE NW/S Grovehill Pd., 335' W OF BALTIMORE COUNTY of C/L of Chelwynd Rd. (928 Grovehill Rd.)

13th Election District lst Councilmanic District ANTHONY J. SCARDAPANE,

Petitioner

Case No. 89-545-A

ENTRY OF APPEARANCE

::::::

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final

> Phyllis Cole Friedman Phyllis Cole Friedman
> People's Counsel for Baltimore County

Peter Max Zimmerman Deputy People's Counsel Room 304, County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

I HEREBY CERTIFY that on this 30th day of August, 1989, a copy of the foregoing Entry of Appearance was mailed to Mr. Anthony J. Scardapane, 928 Grovehill Rd., Arbutus, MD 21227; Mr. and Mrs. Joseph Rauser, 926 Grovehill Rd., Arbutus, MD 21227; and Mr. Raymond Parks, Zoning Chairman, Arbutus Community Association, Inc., Townhall, 1349 Stevens Ave., Baltimore, MD 21227.

OE :8 NA OE 2UA E8 COUNTY BOARD OF APPEALS Phyllis Cole Friedman

926 Grovehill Road Baltimore, Maryland 21227

July 10, 1989

Mr. Robert J. Haines Baltimore County Zoning Commission

Re: Case No. 89-545-A

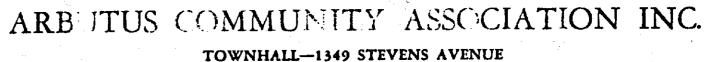
My family has lived in our Huntsmoor townhouse at 926 Grovehill Road since 1966. Our home falls inside a group of 6 homes as does our next door neighbors house at 928 Grovehill Road. Our homes are 32' long, 18' wide, with a 50 ft. long rear yard.

For the second year in the row, our next door neighbors have requested from the Baltimore County Zoning Commission zoning changes so they may build a carport in their back yard. Last changes so they may build a carport in their back yard. Last changes so they may build a carport in their back yard. Anthony March, 1988, the Zoning Commission rejected Mr. Anthony Scardapane's petition to allow construction of a carport comprising scardapane's petition to allow construction of a carport downline of the yard area in lieu of the maximum permitted 40%, denied side yard setbacks of 0 feet in lieu of the required 2.5 ft. while side yard setbacks of 0 feet in lieu of the center alley in lieu of the permitting a 11 foot setback to the center alley in lieu of the required 15 feet. Mr. Scardapane decided not to build his carport under these conditions, and now requests a rear yard set back of under these conditions, and now requests a rear yard set back of 3 for an open carport (in lieu of required 37 1/2').

As we stated last March, we feel the construction of such a carport will be a detrimental addition to our neighborhood. We believe it will be a detrimental addition to our neighborhood. We believe it will be a detrimental addition to our neighborhood. We believe it will contrast greatly with the constructural style of Huntsmoor, will contrast greatly with the constructural style of Huntsmoor, and resulting in a negative perceptual image on adjacent homes, and subsequently decrease our property value. Living next door to such subsequently decrease our property in several ways. Our yard a structure will affect us adversely in several ways. Our yard will be the recipient of storm water runoff and snow drifts from will be the recipient of storm water runoff and snow drifts from will be the recipient of storm water runoff and snow drifts from will be the recipient of storm water runoff and snow drifts from will be the recipient of storm water runoff and snow drifts from will be the recipient of storm water runoff and snow drifts from will be the recipient of storm water runoff and snow drifts from will be the recipient of storm water runoff and snow drifts from will be the recipient of storm water runoff and snow drifts from will be the recipient of storm water runoff and snow drifts from will be the recipient of storm water runoff and snow drifts from will be the recipient of storm water runoff and snow drifts from will be the recipient of storm water runoff and snow drifts from will be the recipient of storm water runoff and snow drifts from will be the recipient of storm water runoff and snow drifts from will be the recipient of storm water runoff and snow drifts from water run

Therefore, we once again request that the zoning changes proposed by our neighbors be denied. Before approval is decided we request a site review be completed. If the Zoning Commission decides to a site review be completed, we ask that the previous accessory approve the zoning proposal, we ask that the previous accessory structure limits (40% of maximum yard area with 2.5 ft. side structure limits (40% of maximum yard area with 2.5 ft.)

sincerely,



TOWNHALL—1349 STEVENS AVENUE BALTIMORE, MARYLAND 21227 FOUNDED 1928

July 6, 1983

Baltimore County Zoning Commission Mr. Robert J. Haines

Re Case No. 89-545 - A

Dear Sir:

The Arbutus Community Association feels that the petition for a zoning variance at 928 Grovehill Road in the 13th District 1st Councilmanic District by Mr. Anthony J. Scardapane should be denied by the Zoning Commission. This is a townhouse community called Huntsmoor, a well kept community with nice front and back yards.

We feel that if this man would cover nearly his entire back yard with a carport, it would downgrade the appearance of the entire neighborhood. Mr. Scardapane has already cemented his whole back yard nearly three years ago. Open space seems to be a commodity now of days, if they aren't cutting down trees, they are cementing or putting up various types of structures in well established neighborhoods. Lets keep the space between neighbors on Grovehill Road open, instead of creating an obstructed view from one neighbor to the other.

Mr. Scardapane petitioned for a carport back in February 1988, and was denied.

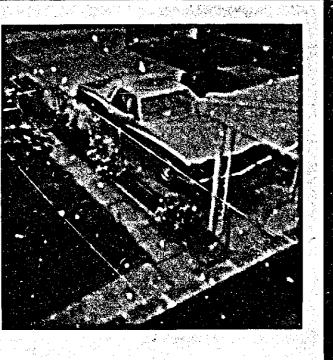
The Arbutus Community Association hope's this letter will have some input when you make your decision in this matter

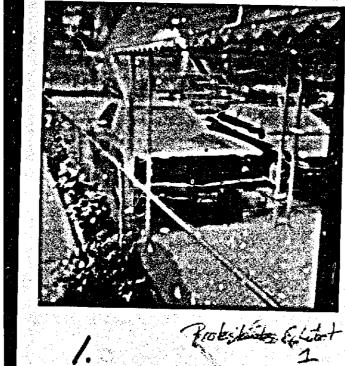
Very Truly: Yours

Raymond Parks Zoning Chairman











Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554



Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, MD 21204

Dear Mr. Haines

The Bureau of Traffic Engineering has no comments for items number 424, 425, 426, 427, 428, 429, 430, 431, 432, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, and 448.

Very truly yours,

Traffic Engineer Assoc. II



ZONING OFFICE

BALTIMORE COUNTY, MARYLAN INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines Zoning Commissioner

FROM: Pat Keller. Deputy Director
Office of Planning and Zoning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Re: Anthony J Scardapane

The Petitioner requests a variance to allow a rear yard setback of 3 feet for an open carport in lieu of the required 37.5 feet. In reference to this request, staff offers the following comments:

The site plan shows the proposed carport to be free standing. If this is the case, the petition has been filed incorrectly; the section of the Baltimore County Zoning Regulations being varianced is based on a building addition, not an accessory structure. In addition, the carport occupies more than 40% of the rear yard and has zero foot side yard setbacks. The variances to yard area coverage and side yard setbacks requested in Case No. 88-340-A were denied.

This office opposes the proposal; it constitutes overuse of the land.

A:71189.txt Pg.5

Baltimore County Fire Department 800 York Road Towson, Maryland 21204-2586 (301) 887-4500 Paul H. Reincke

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204



RE: Property Owner: Anthony J. Scardopane

Location: NWS Grevehill Road, 235' SW of centerline of Chelwynd Road (#928 Grovehill Road)

Item No.: 447

Zoning Agenda: April 25, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Carport shall not exceed 15 feet in width. Three feet clear width shall be required for fire department access to rear of dwelling unit.

The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER Cut Long Kelly 4-25-69 Approved Five Prevention Bureau Special Inspection Division

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: May 17, 1989

FROM: Robert W. Bowling, P.E.

Zoning Advisory Committee Meeting for April 25, 1989

The Developers Engineering Division has reviewed the zoning items for the subject meeting and we have no comments for Items 424, 425, 427, 428, 429, 420, 431, 432, 435, 437, 439, 440, 441, 442, 443, 444, 445, 447, 438 and 448. Comments are attached for Items 426, 434, 436, 438 and

ROBERT W. BOWLING, P.E., Chief Developers Engineering Division

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 22, 1989

COUNTY OFFICE BLOG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Zoning Administration

Mr. Anthony J. Scardapane 928 Grove Hill Road Arbutus, MD 21227

> RE: Item No. 447, Case No. 89-545-A Petitioner: Anthony J. Scardapane Petition for Zoning Variance

Dear Mr. Scardapane:

Department of Traffic Engineering The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested Bureau of Fire Prevention Realth Department Project Plenning Building Department Board of Education

> Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

> IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

> > Very truly yours,

OMEO E. Ogyver

JAMES E. DYER

Chairman

Zoning Plans Advisory Committee

JED:jw

Enclosures